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REORGANIZATION PLAN

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

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December 10, 1971

Honorable Forrest H. Anderson
Governor of Montana
Capitol Building
Helena, Montana 59601

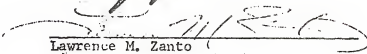
Dear Governor Anderson:

We are herewith submitting, in accordance with your request, a reorganization plan for the Department of Natural Resources and Conservation. We fully expect this Department to produce greater efficiency and effectiveness in the protection and utilization of Montana's natural resources.

Respectfully submitted

TASK FORCE ON NATURAL RESOURCES AND
CONSERVATION

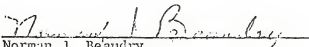

Gary J. Wicks, Chairman


Lawrence M. Zanto


Gareth Moon


Robert S. Raundal


Ole M. Ueland


Norman J. Beaudry

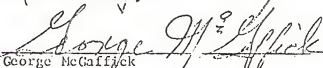
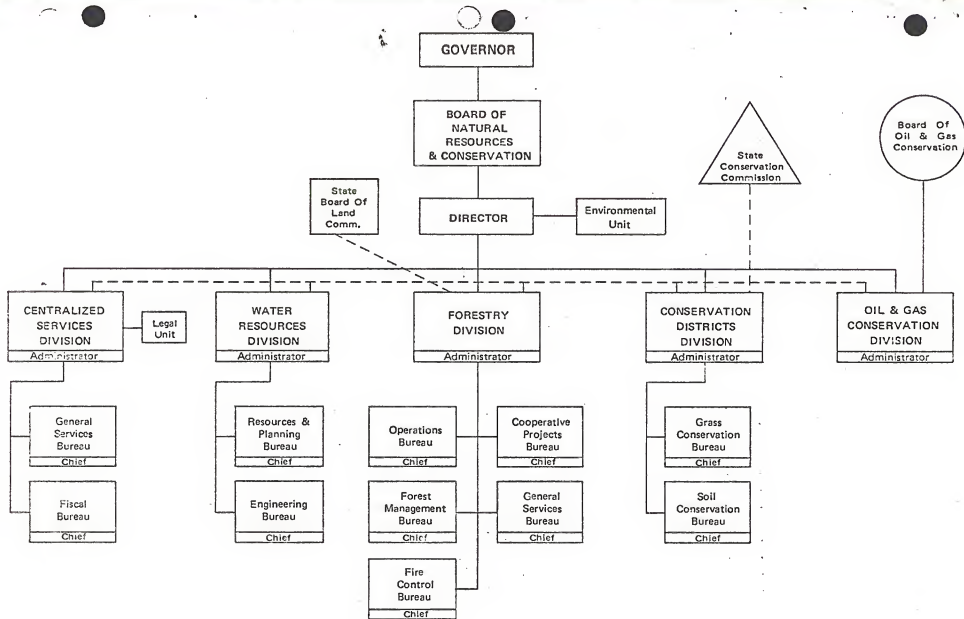

George McGaffick

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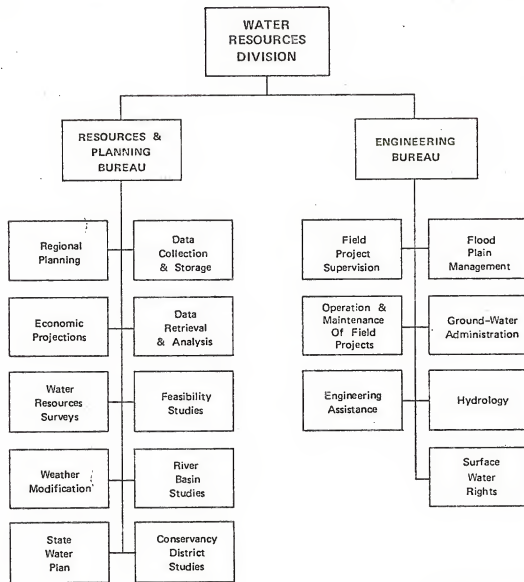
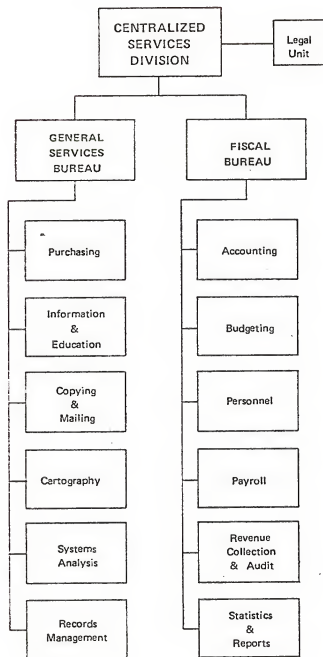
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ORGANIZATION CHART

DEPARTMENT OF
NATURAL
RESOURCES &
CONSERVATION

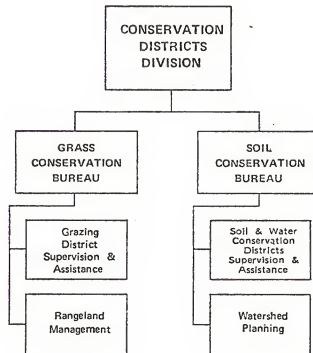
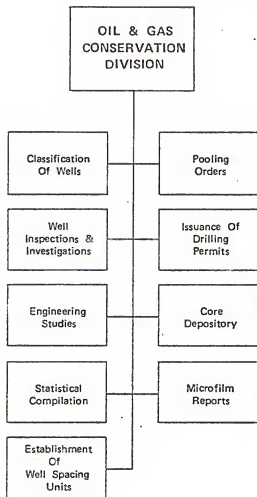
December, 1971



FUNCTIONAL CHART

Centralized Services
Division, Water
Resources Division
DEPARTMENT OF
NATURAL
RESOURCES &
CONSERVATION

December, 1971



FUNCTIONAL CHART

Oil & Gas
Conservation Division,
Conservation Districts
Division
DEPARTMENT OF
NATURAL
RESOURCES &
CONSERVATION
December, 1971

MAJOR PROGRAMS

Centralized Services Program

Description: The Centralized Services Program will perform general and fiscal administrative support functions for the department. The activities carried out will include purchasing, information and education, legal services, cartography, copying and mailing, systems analysis, accounting, budgeting, payroll, personnel, revenue collection and audit, statistics and reports, and records management. (Certain administrative personnel of other divisions of the Department will be transferred to this Division after the Department is activated.)

Authority: Title 82A, Chapters 1 and 15; Title 89, Chapters 1, 3, 29, and 34; Title 76, Chapter 1; Title 46, Chapter 23; Title 81, Chapters 14, 15, 16, and 22; Title 28, Chapters 1 and 4, R.C.M. 1947.

Division Responsible: Centralized Services Division

Water Resources Research and Planning Program

Description: The primary function of this program will be the preparation of a statewide multiple-use water resource plan, which will involve the following activities: data collection and storage, data retrieval and analysis, feasibility studies, water resource surveys, river basin studies, regional planning and economic projections. Weather modification and conservancy district studies will be additional functions of this program.

Authority: Title 89, Chapters 1, 3, and 29, R.C.M. 1947

Division Responsible: Water Resources Division

Water Resources Engineering Program

Description: The Water Resources Engineering Program will carry out the following functions: field project supervision, operation and maintenance of field projects, engineering assistance, ground water administration, surface water rights administration, hydrology (stream measurements) and implementation of the Flood Plain Management Act of 1971.

Authority: Title 89, Chapters 1 and 29, R.C.M. 1947

Division Responsible: Water Resources Division

State Forest Land Management Program

Description: The primary function of this program will be the proper management of state-owned school lands which involve forest resources. The following activities will be included: timber sales administration, reforestation, stand improvement, hazard reduction, portable sawmill licensing, development of special and recreational uses, scaling and rights-of-way.

Authority: Title 28, Chapters 1 and 4, R.C.M. 1947; Title 31, Chapters 14 and 15, R.C.M. 1947

Division Responsible: Forestry Division

Soil Conservation Program

Description: The goal of this program will be to foster development and proper management of land by providing supervision and assistance to soil and water conservation districts and their cooperators. The activities of the program will include assisting and advising soil and water conservation districts, coordinating the programs of several districts through advice and consultation, securing the cooperation and assistance of federal agencies and other state agencies, and disseminating public information throughout the state concerning the activities of the conservation districts.

Authority: Title 76, Chapter 1, R.C.M. 1947; Public Law 87-703; and Soil Conservation and Domestic Allotment Act, Chapter 104, 74th Congress

Division Responsible: Conservation Districts Division

Watershed Planning

Description: The function of this program will be to accelerate water and related resource development under watershed projects in Montana, thereby improving overall economic growth through flood prevention, agricultural and municipal water storage, improvement water management, drainage, recreational and wildlife developments. The duties of the program will include processing project applications, planning approved projects, and utilizing available funds for construction of watershed projects.

Authority: Title 76, Chapter 1, R.C.M. 1947; Public Law 83-566

Division Responsible: Conservation Districts Division

Oil and Gas Conservation Program

Description: This program will be designed to protect and preserve the oil and gas resources of the state and to prevent wasteful practices in the recovery of such resources. The activities carried out will include: classification of wells, well inspections and investigations, establishment of well spacing units and pooling orders, issuance of drilling permits, care depository, engineering studies, and statistical compilation.

Authority: Title 60, Chapter 1, R.C.M. 1947

Division Responsible: Oil and Gas Conservation Division

EXECUTIVE REORGANIZATION		DATE			
PERSONNEL TRANSFER FORM		PAGE DESIGNATION		2 of 6	
For The Department Of:	NATURAL RESOURCES AND CONSERVATION				
	Name Of Principal Department				
EXISTING AGENCY	State Forester and State Board of Forestry				
EMPLOYEE'S NAME	POSITION TITLE	Transferred To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency	
		(✓)		(✓)	
All employees will be transferred to the Forestry Division of the Department of Natural Resources and Conservation		X			

EXECUTIVE REORGANIZATION		DATE		
PERSONNEL TRANSFER FORM		PAGE DESIGNATION	4 of 6	
For The Department Of:	NATURAL RESOURCES AND CONSERVATION			
	Name Of Principal Department			
EXISTING AGENCY	State Conservation Commission			
EMPLOYEE'S NAME	POSITION TITLE	Transfer To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency
		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
All employees will be transferred to the Conservation Districts Division of the Department of Natural Resources and Conservation		X		

EXECUTIVE REORGANIZATION

DATE

PERSONNEL TRANSFER FORM

PAGE
DESIGNATION

5 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Oil and Gas Conservation Commission

EMPLOYEE'S NAME

POSITION TITLE

Transferred
To Principal
Department
Named AboveTransferred To Another
Principal Department
(Please Name)Retained By
Existing
Agency

(✓)

(✓)

All employees

X

EXECUTIVE REORGANIZATION

PERSONNEL TRANSFER FORM

DATE

PAGE

DESIGNATION

6 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Council on Natural Resources and Development

EMPLOYEE'S NAME

POSITION TITLE

Transferred
To Principal
Department
Named AboveTransferred To Another
Principal Department
(Please Name)Retained By
Existing
Agency

(✓)

(✓)

All employees

X

EXECUTIVE REORGANIZATION

ACCOUNT/APPROPRIATION

TRANSFER FORM

DATE

PAGE

DESIGNATION

1 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Water Resources Board

Account
NumberAppropriation
NumberEstimated
Balance At
Transfer DateTransferred
To Principal
Department
Named AboveTransferred To Another
Principal Department
(Please Name)Retained By
Existing
Agency

(✓)

(✓)

All Accounts/Appropriations will
transferred to the Water Resources X
Division of the Department of
Natural Resources and Conservation

EXECUTIVE REORGANIZATION

ACCOUNT/APPROPRIATION

TRANSFER FORM

DATE

PAGE

DESIGNATION

2 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

State Forester and State Board of Forestry

Account
NumberAppropriation
NumberEstimated
Balance At
Transfer DateTransferred
To Principal
Department
Named AboveTransferred To Another
Principal Department
(Please Name)Retained By
Existing
Agency

(✓)

(✓)

All Accounts/ Appropriations will
be transferred to the Forestry
Division of the Department of
Natural Resources and Conservation

X

EXECUTIVE REORGANIZATION

ACCOUNT/APPROPRIATION

TRANSFER FORM

DATE

PAGE

DESIGNATION

3 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Grass Conservation Commission

Account
NumberAppropriation
NumberEstimated
Balance At
Transfer DateTransferred
To Principal
Department
Named AboveTransferred To Another
Principal Department
(Please Name)Retained By
Existing
Agency

(✓)

(✓)

All Accounts/Appropriations

X

EXECUTIVE REORGANIZATION				DATE	
ACCOUNT/APPROPRIATION				PAGE	
TRANSFER FORM				DESIGNATION	4 of 6
For The Department Of:		NATURAL RESOURCES AND CONSERVATION			
		Name Of Principal Department			
EXISTING AGENCY		State Conservation Commission			
Account Number	Appropriation Number	Estimated Balance At Transfer Date	Transferred To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency
			(✓)		(✓)
All Accounts/Appropriations will be transferred to the Conservation Districts Division of the Department of Natural Resources and Conservation			X		

EXECUTIVE REORGANIZATION

ACCOUNT/APPROPRIATION

TRANSFER FORM

DATE

PAGE

DESIGNATION

5 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Oil and Gas Conservation Commission

Account
NumberAppropriation
NumberEstimated
Balance At
Transfer DateTransferred
To Principal
Department
Named AboveTransferred To Another
Principal Department
(Please Name)Retained By
Existing
Agency

(✓)

(✓)

All Accounts/Appropriations

X

EXECUTIVE REORGANIZATION

ACCOUNT/APPROPRIATION

TRANSFER FORM

DATE

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6 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Council on Natural Resources and Development

Account
NumberAppropriation
NumberEstimated
Balance At
Transfer DateTransferred
To Principal
Department
Named AboveTransferred To Another
Principal Department
(Please Name)Retained By
Existing
Agency

(✓)

(✓)

All Accounts/Appropriations

X

EXECUTIVE REORGANIZATION

DATE

PROPERTY TRANSFER FORM

PAGE

DESIGNATION

1 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Water Resources Board

Quantity	Description Of Property	Transferred To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency
		(✓)		(✓)
	All property will be transferred to the Water Resources Division of the Department of Natural Resources and Conservation.	X		

EXECUTIVE REORGANIZATION PROPERTY TRANSFER FORM	DATE	▶
	PAGE DESIGNATION	▶ 2 of 6

For The Department Of:	NATURAL RESOURCES AND CONSERVATION
	Name Of Principal Department

EXISTING AGENCY	State Forester and State Board of Forestry
-----------------	--

Quantity	Description Of Property	Transferred To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency
		(✓)		(✓)

All property will be transferred to the Forestry Division of the Department of Natural Resources and Conservation

X

EXECUTIVE REORGANIZATION

DATE

PROPERTY TRANSFER FORM

PAGE
DESIGNATION

3 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Grass Conservation Commission

Quantity	Description Of Property	Transferred To Principal Department Named Above
		(✓)
	All property	X

Transferred To Another
Department

(Name)

Retained By
Existing
Agency

(✓)

EXECUTIVE REORGANIZATION		DATE		
PROPERTY TRANSFER FORM		PAGE DESIGNATION	4 of 6	
For The Department Of:	NATURAL RESOURCES AND CONSERVATION			
	Name Of Principal Department			
EXISTING AGENCY	State Conservation Commission			
Quantity	Description Of Property	Transferred To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency
		(✓)		(✓)
	All property will be transferred to the Conservation Districts Division of the Department of Natural Resources and Conservation	X		

EXECUTIVE REORGANIZATION		DATE		
PROPERTY TRANSFER FORM		PAGE DESIGNATION	5 of 6	
For The Department Of:	NATURAL RESOURCES AND CONSERVATION			
	Name Of Principal Department			
EXISTING AGENCY	Oil and Gas Conservation Commission			
Quantity	Description Of Property	Transferred To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency
		(✓)		(✓)
	All property			X

EXECUTIVE REORGANIZATION

PROPERTY TRANSFER FORM

DATE

PAGE

DESIGNATION

6 of 6

For The
Department
Of:

NATURAL RESOURCES AND CONSERVATION

Name Of Principal Department

EXISTING AGENCY

Council on Natural Resources and Development

Quantity	Description Of Property	Transferred To Principal Department Named Above	Transferred To Another Principal Department (Please Name)	Retained By Existing Agency
		(✓)		(✓)
	All property	X		

SPACE REQUIREMENTS

The various divisions of the Department of Natural Resources and Conservation will remain housed at their present locations.

The principal offices for these divisions are as follows:

--Water Resources and Conservation Districts Divisions:

Mitchell Building, Helena

--Oil and Gas Conservation Division: 325 Fuller Avenue,
Helena

--Forestry Division: 2705 Spurgin Road, Missoula

Certain administrative personnel will be transferred from the divisions named above to the Centralized Services Division which will be housed in the Mitchell Building in Helena.

POTENTIAL SAVINGS

Centralization of such functions as payroll, accounting, personnel records, purchasing, and records management will necessarily result in savings through personnel specialization and standardization of procedures. While it may be difficult or impossible to identify such savings in terms of dollars and cents, there can be no doubt that savings will occur as a result of inherent administrative efficiencies and reduction of man-hours expended.

In addition to major savings in administrative expenses, it is anticipated that some savings may result in two other areas. Consolidation of some local field offices of the agencies included in the Department would result in a reduction of rental costs, and the sharing of equipment and facilities is also expected to represent a savings.

PROPOSED RULES GOVERNING THE INTERNAL ADMINISTRATION
OF THE DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

(Note: These rules are proposed as a part of the Reorganization Plan for the Department of Natural Resources and Conservation. It is planned that these rules will be formally adopted by the Director of the Department and concurred in by the Board of Natural Resources and Conservation at its first meeting after activation of the Department.)

RULES GOVERNING THE INTERNAL ADMINISTRATION OF THE
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GENERAL

1. The purpose of these rules is to delineate, demarcate, and describe the respective responsibilities of the Board and the Director in order to promote and insure efficient operation of the Department and to provide and insure that responsibility within the Department is clearly fixed and definitely ascertainable.
2. These rules are adopted by the Director pursuant to authority under Section 82A-107(1)(f), R.C.M. 1947, and have been concurred in by the Board as required under section 82A-1510, R.C.M. 1947.
3. These rules may be amended at any time by the Director, subject to the concurrence of the Board. Any change in these rules shall be effective only by specific written amendments thereto.
4. These rules supersede any rules or policies previously adopted or recognized by the Montana Water Resources Board, the Montana State Board of Forestry, the State Forester, the State Conservation Commission, or the Montana Grass Conservation Commission, which conflict with the rules contained herein.
5. The Director shall provide copies of these rules to any interested person and may charge a reasonable fee for their cost.

Rule 1. DEFINITIONS

As used in these rules:

- A. "Board" means the Board of Natural Resources and Conservation, provided for in section 82A-1509, R.C.M. 1947;

- B. "Department" means the Department of Natural Resources and Conservation, created in section 82A-1501, R.C.M. 1947;
- C. "Director" means the Director of Natural Resources and Conservation, a position provided for in section 82A-1510, R.C.M. 1947.

Rule 2. POWERS AND DUTIES OF THE BOARD

The following powers and duties of the Department, except those of the Board of Oil and Gas Conservation, must be concurred in by the Board (citations are to statutory authority of the Department to perform the specific function):

- A. The adoption of all rules and regulations which affect the public;
- B. The granting, issuance, denial, revocation, renewal, or suspension of all licenses, permits, and certificates;
- C. The acquisition by appropriation, purchase, exchange, condemnation, lease, or otherwise, of water rights or any interest in real property;
- D. The sale, lease, or other disposition of interests in real property or of water rights;
- E. The construction of water conservation projects and irrigation works (89-105 and 89-106);
- F. The entering into of all contracts or agreements, and the provisions of same;
- G. The issuance of water conservation revenue bonds and the maturity dates, terms, conditions, and interest rates of same (89-109);

- H. The execution of a declaration of intention to store, divert, or control water in the name of the state (89-121);
- I. Securing water conservation revenue bonds by trust indentures, and the provisions of same (89-111);
- J. The adoption of a state water plan (89-132.1);
- K. The determination that the formation of a conservancy district is feasible and consistent with the state water plan (89-3408);
- L. The approval of applications for assistance under Public Law 566;
- M. The approval of plans for projects under Public Law 87-703;
- N. The creation, addition, combination, termination, or division of soil and water conservation districts (76-105, 76-114, and 76-117);
- O. The classification of forest land areas (28-105);
- P. The creation of organized forest fire protection districts (28-105);
- Q. The adoption of a fire protection plan, and the portion of the costs under such plan to be borne by the state and by the landowners (28-111);
- R. The creation or a change in boundaries of a cooperative grazing district (46-2309, 46-2311);
- S. The prescription of articles of incorporation of a cooperative grazing district (46-2310);
- T. The final report of dissolution proceedings of a cooperative grazing district (46-2325);

U. The imposition of fees against each grazing district
(46-2331);

V. Determinations or orders resulting from hearings.

Rule 3. POWERS AND DUTIES OF DIRECTOR

A. The Board delegates to the Director the responsibility for the performance of those powers and duties set forth for department heads under section 82A-107 of the Executive Reorganization Act, R.C.M. 1947, subject to the concurrence of the Board of those items enumerated under Rule 2.

In addition, the Director shall:

1. Conduct and hold all hearings, except hearings of the Board of Oil and Gas Conservation; the Director may adopt rules of procedure relating to such hearings, consistent with law and the Administrative Procedures Act, subject to the concurrence of the Board; any determinations or orders to be made from such hearings must be made by the Board in accordance with Rule 2 V;
 2. Accept, account for, and disburse moneys;
 3. Purchase equipment and supplies for the Department.
- B. The Director may create advisory councils in accordance with section 82A-110, R.C.M. 1947.
- C. The Director is hereby designated as the secretary of the Board, and he shall see that proper minutes are kept of all Board meetings.

- D. The Director may make recommendations to the Board on any matter which requires Board concurrence under Rule 2 of these rules, and he may, in his discretion, bring any matter not requiring Board concurrence to the Board for its discussion, recommendation, or concurrence.
- E. The Board hereby approves and concurs in any action taken by the Director pursuant to the powers and duties delegated to him under this Rule.